

MEMORANDUM FOR: State, Territorial, and Commonwealth
Coastal Program Managers

FROM: Joseph A. Uravitch, AICP
Chief, Coastal Programs Division

SUBJECT: Section 309 Update and Interim Guidance for FY 99

In this year's final funding guidance, we noted that FY 99 is the last year covered by state section 309 strategies, and that states should focus their FY 99 efforts on activities necessary to bring key elements of the strategy to closure. The guidance also indicated that states could reserve a small amount of 309 funds to begin work on the next round of assessment updates and strategies sometime early in the year 2000.

We have held off on developing section 309 guidance for the next round of assessments and strategies pending reauthorization of the Coastal Zone Management Act. There are ongoing efforts to move reauthorization forward, but it may take several more months before a final bill passes Congress. Both the House and Senate reauthorization bills include changes to section 309. A chart summarizing the changes in both bills is attached to this memorandum. Once the Coastal Zone Management Act is reauthorized, we will undertake a cooperative process with state coastal managers to develop guidance to implement the program over the next five years.

While the reauthorization process proceeds, several states have indicated a desire to begin working on updating their section 309 assessments and strategies. Although changes to some 309 requirements are likely, we anticipate that the current assessment and strategy structure of the program and most of the enhancement areas will remain intact. This memo provides guidance for those states that want to begin work on updating their 309 programs. Use of FY 99 section 309 funds for this purpose is optional. The requirements and schedule for revising section 309 assessments and strategies will be based on states initiating work with FY 00 funding. States that did not set aside FY 99 funds to update their assessments and strategies need not make any changes to their cooperative agreement.

For FY 99, there are a number of activities that a state could pursue to lay the groundwork for next year. These activities should be useful, regardless of how section 309 is changed.

Potential FY 99 Tasks

- Review and evaluate the progress that has been made under section 309, identify improvements, successes, areas where goals remain unmet, etc...
- Initial public outreach -- contact key constituencies (advisory groups, councils, working group members, state agencies, etc.) and describe progress under the last round, and prepare people to participate in a new round of assessing the issues facing the state coastal management program.
- Review list of potential enhancement areas, and begin gathering information to update the status of the issues within the state.
- Identify and begin to fill data/information gaps that, if filled, would significantly improve previous assessments.
- Prepare to participate in developing new national guidance for FY 00. Review last guidance, and consider possible improvements.

This list is exemplary, and we are interested in working with individual states to identify other activities and develop more specific work programs. If you have any questions, please contact John King (Phone: 301/713-3121 extension 188, or via e-mail: john.king@noaa.gov).

cc: OCRM/CPD Staff
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Comparison of Section 309 Reauthorization Proposals

Statutory Element	Current CZMA	Senate Bill (SB 1534)	House Bill (HR 2669)
ENHANCEMENT AREAS			
Wetlands	X		X
Hazards	X	X	X
Public Access	X	X	X
Marine Debris	X	X	X
Cumulative & Secondary Impacts	X	X	X
Special Area Mgmt. Planning	X	X	X
Ocean Resources	X	X	X
Energy & Gov't. Facility Siting	X	X	X
Aquaculture	X	X	X
Coastal Habitats (includes wetlands)	X	X	
Coastal Nonpoint Pollution Control Program Components		X	
Improving permitting for Aquaculture			X
Emerging Issues		X	X
FUNDING			
Appropriation	10 - 20% percent of section 306/306A appropriation up to \$10 million	Separate appropriation for sections 309/309A. Authorized levels begin at \$20 million in FY00 and rise to \$24 million in FY04	10 - 15% of section 306/309 appropriation
Match	No match	No match	100% match
Allocation	Evaluate and rank state proposals, which is accomplished through a weighted formula based on ranking of state strategies. Can also award funds for Projects of Special Merit	Evaluate and rank state proposals. Could still use weighted formula/PSM approach.	Use 306 allotment formula based on shoreline mileage and coastal population
Other		State may use a portion of 309/309A funds for projects under section 309A - Coastal Community Program. Split between 309 and 309A is not specified, and would vary by state. 309A funds require a 100% match	